

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

HEARTS ON FIRE COMPANY, LLC,

Plaintiff,

v.

EIGHTSTAR DIAMOND COMPANY,

Defendant.

CIVIL ACTION NO. 04 12258-JLT

**DECLARATION OF JAMES L. PHILLIPS**

James L. Phillips, being duly sworn upon oath states as follows:

1. The following is true and correct to the best of my knowledge. I am one of the attorneys representing EightStar in this matter.

2. Attached to my declaration are true and correct copies of the following:

<b>Exhibit</b>	<b>Description</b>
1	Hearts on Fire's Amended Complaint
2	Email from Mr. Yantzer, a jewelry expert, to Richard von Sternberg, of EightStar, dated June 22, 1996
4	Consent Judgment entered into between Grimball Jewelers and Hearts on Fire
8	Hearts on Fire's Answers to EightStar's Interrogatories
9	Deposition excerpts of Richard von Sternberg

I certify under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed that \_\_\_\_ day of March , 2006 in Seattle, Washington.

/s/ James L. Phillips  
James L. Phillips

**CERTIFICATE OF SERVICE**

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on March 10, 2006.

/s/ James L. Phillips  
James L. Phillips